

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9047 of 2021

Arising Out of PS. Case No.-665 Year-2018 Thana- NAGAR District- Vaishali

1. DHUNNI QURAISHI @ ISRAIL QURAISHI SON OF SAKUR QURAISHI, RESIDENT OF MOHALLA- PANDRIBA BAULI, P.O AND P.S- HAJIPUR TOWN, DISTRICT- VAISHALI.
2. RAJA QURAISHI @ MD. RAJA QURAISHI SON OF DHUNNI QURAISHI @ ISRAIL QURAISHI, RESIDENT OF MOHALLA- PANDRIBA BAULI, P.O AND P.S- HAJIPUR TOWN, DISTRICT- VAISHALI.
3. MD. MUSTAQ QURAISHI @ POLA QURAISHI SON OF DHUNNI QURAISHI @ ISRAIL QURAISHI, RESIDENT OF MOHALLA- PANDRIBA BAULI, P.O AND P.S- HAJIPUR TOWN, DISTRICT- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21725 of 2021

Arising Out of PS. Case No.-665 Year-2018 Thana- NAGAR District- Vaishali

1. MD. ASGAR SON OF NUR MOHAMMAD, RESIDENT OF VILLAGE/MOHALLA- PANDRIWA BAULI, P.S.- HAJIPUR TOWN, DISTRICT- VAISHALI
2. REYAJ @ MD. REYAJ SON OF ABDUL GAFFUR, RESIDENT OF VILLAGE/MOHALLA- PANDRIWA BAULI, P.S.- HAJIPUR TOWN, DISTRICT- VAISHALI
3. MD. FIROZ @ MD. FIROZ ALI @ MD. FIRON SON OF MD. HALIM @ MD. HAKIM, RESIDENT OF VILLAGE/MOHALLA- PANDRIWA BAULI, P.S.- HAJIPUR TOWN, DISTRICT- VAISHALI
4. LEDU @ ANWAR SON OF NUR MOHAMMAD, RESIDENT OF VILLAGE/MOHALLA- PANDRIWA BAULI, P.S.- HAJIPUR TOWN, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9047 of 2021)

For the Petitioner/s : Mr.Rakesh Kumar Soni



For the Opposite Party/s : Mr.Bishweshwar Ram
(In CRIMINAL MISCELLANEOUS No. 21725 of 2021)
For the Petitioner/s : Mr.Vasant Vikas
Mr. Yatindra Narayan
Mr. Pranoy Kumar
Mr. Dhaneshwar Vashist
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 17-02-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the office within one
month.

Heard the learned counsel for the petitioners as well as
the learned Additional Public Prosecutor for the State through
video conferencing.

Vide order dated 22.12.2021, **in Cr. Misc. No. 9047 of
2021, the anticipatory bail petition of Dhunni Quraishi @
Israil Quraishi and Raja Quraishi @ Md. Raja Quraishi
(petitioner nos. 1 and 2) was dismissed as withdrawn.**

So far as **rest petitioners of both the cases** are
concerned, they apprehend their arrest in connection with
Hajipur Town P.S. Case No. 665 of 2018 registered for offence
punishable under sections 147, 148, 149, 452, 436, 295(a), 298,
186, 353, 153(a), 307, 427, 505(2), 120(B) of the Indian Penal
Code and section 27 of the Arms Act.

It is a case of free fight between two communities.

As per FIR, the persons of one community after



putting dead body of the deceased near mosque, were making protest and thereafter, altercation took place between both the communities. Some houses and shops were ransacked. 20 named and 200 unknown accused persons have been made accused.

The learned counsel for the petitioners has submitted that it is a case of free fight between two communities and the members of both the communities have been made accused. The FIR itself shows that the empty cartridge has not been recovered and none has sustained any fire arm injury. On some issue or other, some stone pelting took place between two communities.

Considering the above mentioned facts and circumstances, **let the above named petitioners, namely, Md. Mustaq Quraishi @ Pola Quraishi, Md. Asgar, Reyaj @ Md. Reyaj, Md. Firoz @ Md. Firoz Ali @ Md. Firon and Ledu @ Anwar**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 665 of 2018, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey , J)

Mahesh/-

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